

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO. 1:13-CV-13286-FDS

THE COMMONWEALTH OF
MASSACHUSETTS,

Plaintiff,

and

AQUINNAH/GAY HEAD COMMUNITY
ASSOCIATION, INC. (AGHCA) and
TOWN OF AQUINNAH,

Intervenor-Plaintiffs,

vs.

THE WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), THE
WAMPANOAG TRIBAL COUNCIL OF
GAY HEAD, INC., and THE
AQUINNAH WAMPANOAG GAMING
CORPORATION,

Defendants/Counterclaim-
Plaintiffs

and

DEVAL PATRICK, in his
official capacity as
GOVERNOR, COMMONWEALTH OF
OF MASSACHUSETTS,

Defendants.

**THE TOWN OF AQUINNAH'S
MOTION FOR
SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, and Local Rules 7.1 and
56.1, the Town of Aquinnah (the "Town"), moves for summary

judgment in its favor on its claims against the Wampanoag Tribe of Gay Head (Aquinnah), the Wampanoag Tribal Council of Gay Head, Inc., and the Aquinnah Wampanoag Gaming Corporation as set out in the Town's First Intervenor Complaint (entitled "Declaratory Judgment Action by the Town of Aquinnah"), dated and filed on August 6, 2014.

As grounds for this motion, the Town refers to its supporting memorandum filed in connection with this motion.

TOWN OF AQUINNAH

By its attorneys,

/s/ Ronald H. Rappaport
Ronald H. Rappaport
BBO No. 412260
rrappaport@rrklaw.net
Reynolds, Rappaport, Kaplan
& Hackney, LLC
106 Cooke Street, PO Box 2540
Edgartown, MA 02539
(508) 627-3711

/s/ Michael A. Goldsmith
Michal A. Goldsmith
BBO No. 558971
mgoldsmith@rrklaw.net
Reynolds, Rappaport, Kaplan
& Hackney, LLC
106 Cooke Street, PO Box 2540
Edgartown, MA 02539
(508) 627-3711

Dated: May 28, 2015

CERTIFICATE OF SERVICE

In accordance with Local Rule 5.2(b), I hereby certify that this document filed through the ECF system on May 28, 2015 will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Michael A. Goldsmith
Michael A. Goldsmith